

EXHIBIT B

Alan Bonsell
January 3, 2005

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(1) I think that was in your question.

(2) A: I mean I don't know who donated all of the books. You
(3) didn't ask — because I don't know who donated all of
(4) the books.

BY MR. ROTHSCHILD:

(5) Q: But your father was one of them?

(6) A: I don't know any person I know.

(7) Q: You just don't know how many of the 60?

(8) A: I don't know. I have no idea about that goes on about

(9) it, of who donated, or how much they donated. I mean

(10) that wasn't — my father is my father. I'm me.

(11) Q: But you had an interaction with him in which you told

(12) him that would be a good idea?

(13) A: Probably.

(14) Q: You can't remember how this subject matter came up?

(15) A: I believe I said before that it was because the comments

(16) of Barrie Callahan objecting to — what I remember is

(17) objecting to the school spending money on them. So I

(18) guess here is a group of people that said we will donate

(19) them.

(20) Q: And one member of that group of people told you?

(21) A: That they would donate the books. But I don't know —

(22) like I said, I don't know the group of people.

(23) Q: In the School District statement, it says that

(24) Mr. Nilsen has directed that no teacher will teach

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(1) Intelligent Design or Creationism or present his or her
(2) or the Board's religious beliefs.

(3) What do you understand by the use of the term

(4) Creationism, what does Creationism mean?

(5) A: You mean my opinion on what Creationism is?

(6) Q: This is your Board's press release. What does

(7) Creationism mean in this press release?

(8) A: I guess this would be the religious — what you would

(9) call the Bible version of origins.

(10) Q: Is that your personal understanding of what Creationism

(11) means?

(12) A: That is — I mean the definition of Creationism, you ask

(13) 50 people, there will be 50 different definitions. So I

(14) mean that's my personal definition of that. I'm not

(15) saying that is everybody's definition.

(16) Q: Your personal definition is the Bible version of

(17) origins; is that right?

(18) A: That is very general, but yeah.

(19) Q: Anything else that would fall —

(20) A: I mean the Bible version of creation of man and animals,

(21) that type of thing.

(22) Q: Would you agree that one aspect of Creationism is that

(23) creatures were originally made as they now exist, humans

(24) were humans, birds have feathers, fish have fins?

(25) A: You are asking my personal opinion?

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(1) Q: Is that your understanding of what Creationism is?

(2) A: My personal opinion?

(3) Q: Yes.

(4) A: You are saying that — again, repeat it again.

(5) Q: Is your understanding of Creationism, does it include

(6) the tenet that creatures were formed as they now exist,

(7) birds having feather?

(8) A: Yes, all species.

(9) Q: Or —

(10) —

(11) —

(12) your understanding of Creationism that

(13) birds, fish, humans do not share

(14) common ancestors?

(15) A: Yes, that's what we are talking about?

(16) Q: Yes, still Creationism.

(17) A: Yes.

(18) Q: Do you know what Intelligent Design — what position

(19) Intelligent Design takes on that issue of common

(20) descent?

(21) A: Well, Intelligent Design is not Creationism. Let's

(22) start off by saying that. Intelligent Design is a

(23) scientific theory. And as far as, you know, you are

(24) wanting my understanding of Intelligent Design now? Is

(25) that what you are asking?

(1) Q: Is that also an tenet of Intelligent Design that humans,

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(1) birds and fish don't share common ancestors?

(2) A: As far as everything started from one animal, is that

(3) what you are saying?

(4) Q: Just the question of whether they share common

(5) ancestors. You answered that question as regards

(6) Creationism. I am asking whether you have an

(7) understanding of whether Intelligent Design supports the

(8) same proposition, that birds and fish and humans do not

(9) have common ancestors.

(10) A: I think Intelligent Design is saying that life couldn't

(11) have gotten here by chance. That is basically I believe

(12) what they are saying.

(13) Q: But is one of the things that Intelligent Design is

(14) saying that the separate species, birds, fish, men do not

(15) share common ancestors? If you don't know, say you

(16) don't know.

(17) A: Well, I'm not sure.

(18) Q: Do you have a personal view of which concept

(19) Creationism, Intelligent Design, evolution is more

(20) accurate?

(21) A: You are asking for my personal views now?

(22) Q: Yes.

(23) A: As far as Intelligent Design, Creationism, or what?

(24) Q: Or Darwin's Theory.

(25) A: Do I think one more than another?

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- [1] Q: Yes.
- [2] A: Yes.
- [3] Q: What is that?
- [4] A: I believe in the Creationism.
- [5] Q: Do you believe Creationism is a scientific theory?
- [6] A: A scientific theory? Intelligent Design is a scientific
- [7] theory. I guess Creationism would not be.
- [8] Q: Have you attended any courses or lectures or seminars
- [9] relating to the subjects of evolution, Intelligent
- [10] Design or Creationism? I know you said you have done
- [11] reading.
- [12] A: Seminars?
- [13] Q: Yes.
- [14] A: Attended seminars? I don't believe I have attended
- [15] seminars.
- [16] Q: Lectures, courses?
- [17] A: I can't recall.
- [18] Q: Do you belong to a church?
- [19] A: Yes.
- [20] Q: What church is that?
- [21] A: Church of the Open Door.
- [22] Q: Has the subject matter of Intelligent Design been
- [23] discussed at your church?
- [24] A: I don't — I don't — I really — I really can't answer
- [25] that, if it has ever been discussed. I'm not sure.

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- [1] Q: Have you ever —
- [2] A: I don't recall it being.
- [3] Q: The press has reported that Casey Brown stated that she
- [4] was asked by members of the Board whether she was Born
- [5] Again.
- [6] Are you aware of that occurring?
- [7] A: No.
- [8] Q: Ms. Yingling has been quoted in the press as stating she
- [9] was encouraged to vote for the October 18th resolution
- [10] by assertions that she was an atheist or un Christian.
- [11] Are you aware of that occurring?
- [12] A: No. I remember her — I also remember reading in the
- [13] paper that she said the reason she voted for it is so
- [14] that people didn't think she was an atheist.
- [15] Q: You are not aware of anybody on the Board —
- [16] A: She didn't say anything about being pressured.
- [17] Q: You are not aware —
- [18] A: I am not aware of anything like that. No, absolutely
- [19] not. I think that is false, totally false.
- [20] Q: Have you ever spoken to anybody at the Discovery
- [21] Institute?
- [22] A: Yes.
- [23] Q: When was that?
- [24] A: Just recently.
- [25] Q: Can you describe the circumstances of your

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- [1] communications with the Discovery Institute?
- [2] A: Just basically things that they wanted.
- [3] MR. THOMPSON: We are going to be getting involved
- [4] in attorney/client privilege here so we have to be
- [5] careful. Be very careful in answering his question that
- [6] you don't reveal what you and the Discovery Institute
- [7] lawyers discussed.
- [8] MR. ROTHSCHILD: As I said to Mr. Gillen, I am not
- [9] sure I agree with you that the attorney/client privilege
- [10] applies here.
- [11] BY MR. ROTHSCHILD:
- [12] Q: I want to start without asking for any content of your
- [13] communication for you to describe to me how it came to
- [14] be that you had communication with the Discovery
- [15] Institute, again, taking care not to tell me what was
- [16] said.
- [17] A: They had called and left a message for me to call them.
- [18] Q: What did they say on their message?
- [19] A: Basically that they just wanted to discuss things that
- [20] they were, if I remember correctly, reading it in the
- [21] newspapers and things like that. You know, it was on
- [22] the AP wire so it was everywhere.
- [23] Q: What did you do in response to that call?
- [24] A: I did talk to them, but it was only I believe — only
- [25] like once or twice that I ever like talked to them. It

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- [1] wasn't like I had many conversations with them or
- [2] anything like that.
- [3] Q: Was your first actual conversation returning the call
- [4] that they had left on your voice message?
- [5] A: I believe so.
- [6] Q: What did you say when you first made contact with
- [7] somebody at the Discovery Institute?
- [8] A: Just I was returning your call and was inquiring what
- [9] the message was for.
- [10] Q: Who did you talk to?
- [11] A: I believe it was Seth Cooper, an attorney.
- [12] Q: How did he respond to your statement returning your
- [13] call? What did he say to you?
- [14] A: He just said they wanted to discuss what we were doing
- [15] at the School District.
- [16] Q: Did he offer to represent you at that point?
- [17] A: I don't recall.
- [18] Q: In your conversations, did Mr. Cooper or any other
- [19] attorney at the Discovery Institute ever offer to
- [20] represent you or the School District?
- [21] A: I would like to just take another break to ask my
- [22] attorney a question.
- [23] Q: That is fine.
- [24] (The witness and his attorney exit the conference
- [25] room to confer.)

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(2) A: I mean I don't know who donated all of the books. You
(3) didn't ask — because I don't know who donated all of
(4) the books.

BY MR. ROTHCHILD:

(5) Q: But your father was the one who...
(6) A: ...
(7) Q: ...
(8) A: ...
(9) A: ...
(10) it ...

(11) ... my father is my father I'm me

(12) Q: ...
(13) ...

(14) A: ...
(15) Q: You can't remember how this subject matter came up?
(16) A: I believe I said before that it was because the comments

(17) of Barrie Callahan objecting to — what I remember is
(18) objecting to the school spending money on them. So I
(19) guess here is a group of people that said we will donate
(20) them.

(21) Q: And one member of that group of people told you?

(22) A: That they would donate the books. But I don't know —
(23) like I said, I don't know the group of people.

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(5) A: You mean my opinion on what Creationism is?

(6) Q: ...

(7) ...

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(17) A: I don't recall.
(18) Q: In your conversations, did Mr. Cooper or any other
(19) attorney at the Discovery Institute ever offer to
(20) represent you or the School District?
(21) A: I would like to just take another break to ask my
(22) attorney a question.
(23) Q: That is fine.
(24) (The witness and his attorney exit the conference
(25) room to confer.)

Tammy Kitzmiller, et al. v.
Dover Area School District, et al.

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Q: Sounds like you have done at least a fair amount of reading on these subjects, and I am interested to know whether your pursuit of information about these subjects started only after you became a member of the Board or whether you were reading on these subjects before you became a member of the Board.

A: I am interested — I have been interested in science all my life. I have interests in many, many subjects.

Q: And were you reading articles about Evolution and Intelligent Design prior to becoming a member of the Board?

A: I probably have. Evolution, I am sure. Intelligent Design, somewhere in that area I am sure because I know it is a newer theory.

Q: I am just curious. What made you start seeking out information to know subject of Intelligent Design?

A: It had piqued my curiosity because there are other theories out there, and there are many gaps in Darwin's Theory. And so it was to see what other scientists have to say about other ways of looking at the same evidence.

Q: Now you said you have read material on the Internet; correct?

A: Sure, yes.

Q: Can you remember with any specificity what websites or articles or authors that you read on the Internet?

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A: There again, a lot of the information you will see, it will be on a page or something like that, or somebody will send you an e-mail and say I read this, and this might be of interest to you.

The problem with saying where it came from on the Internet, there's millions of places they come from. To be specific, I didn't realize I was going to be asked that question. Maybe I could have went back and looked. Just off the top of my head, I don't recall.

Q: Again, I understand that. I am not asking you these questions to point out some flaw.

A: I know. I know. Okay.

Q: I am a college basketball fan, and I read to find out who is going early into the NBA draft. I have some information. I couldn't tell you every place I got that information from.

If that is your answer to the question I am asking, that is fine.

A: Okay.

Q: I have to ask the questions.

A: Okay.

Q: So I'm correct that you can't specifically identify the sources of any particular information you read on the Internet?

A: Not per se, no.

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Q: You said you have seen these two DVD's Icons of Evolution and Unlocking the Mystery of Life, what were the circumstances in which you viewed those? How did they come into your possession?

A: I purchased them.

Q: When did you purchase them?

A: It was — I am trying to think of when that was. I believe it would have been some months ago, but I am not exactly sure when.

Q: The resolution was voted on October 18th, 2004; is that consistent with your memory?

A: Of the change, this piece here?

Q: Yes.

A: Yes.

Q: Was your purchase of these two DVD's before or after that?

A: It was around the same time, or it could have been after. I'm not exactly sure. I'm not exactly sure when.

Q: Do you think you had viewed those — was the first time you viewed those DVD's after you personally had purchased them?

A: I think the Unlocking the Mysteries of Life, I am not sure if I saw that beforehand or not. The Icons was I think later. But the Unlocking the Mysteries, that was

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I believe earlier. But I am not — I'm not sure. It could have been before. It could have been after. I'm just not sure.

Q: Was your first viewing of Unlocking the Mystery of a copy you had purchased or that was made —

A: That is what I am trying to remember, if it was somebody gave me a copy and then I purchased one, or if somebody told me about it, and I purchased it. I'm not sure.

MR. GILLEN: Alan —

A: I am trying.

MR. GILLEN: Trying to remember is what you should do to answer his questions, but it is also true if you can't remember, you can just tell him that. As he said, it is not a trick question.

A: I am trying to remember to be as truthful as I possibly can and try to remember everything I can possibly remember. When you are asking me questions exactly when a specific time in reference to a DVD, that is a tough question.

I just can't — I'm not positive I am just not sure.

BY MR. ROTHSCHILD:

Q: In that DVD Unlocking the Mystery of Life, there are appearances by a number of individuals such as Michael Behe; correct?

Jan Bonsell
April 13, 2005

Fammy Kitzmiller, et al. v.
Dover Area School District, et al.

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[1] A: Yes.
[2] Q: Stephen Meyer, do you remember him?
[3] A: Stephen Meyer, yes.
[4] Q: Scott Minnich?
[5] A: Yes.
[6] Q: Paul Nelson?
[7] A: Name sounds familiar.
[8] Q: Do you have an understanding of whether some or all of
[9] those individuals have an association with the Discovery
[10] Institute?
[11] A: I think some of them do. I don't know whether all of
[12] them do.
[13] Q: Are you familiar with the Discovery Institute?
[14] A: Yes.
[15] Q: How are you familiar with them?
[16] A: Just knowing them, that they are a large group of
[17] scientists that I believe have looked at the scientific
[18] evidence out there and have some other theories of their
[19] own, what they have come up with by looking at the same
[20] evidence that the Darwin scientists have looked at.
[21] Q: Do you associate them with the idea of Intelligent
[22] Design?
[23] A: I believe that probably most of them adhere to that.
[24] Q: Do you have a recollection of when you first became
[25] aware of the Discovery Institute?

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[1] A: I believe that would have been last year some time.
[2] Q: Did you become aware of them in connection with the
[3] Board's consideration of the biology curriculum?
[4] A: Yes, it was before the curriculum change.
[5] Q: What I am sort of getting at is you have described a lot
[6] of reading and investigation into the subjects of
[7] Evolution and Intelligent Design, and I am trying to get
[8] a sense of whether you were aware of the Discovery
[9] Institute from your sort of personal reading before this
[10] issue sort of came up before the Board.
[11] A: I think somewhere along the line, it came up in
[12] discussions about this group.
[13] Q: Discussions by the Board?
[14] A: I don't know if it was at a Board meeting or anything
[15] like that. But there were discussions that were
[16] somewhere last year that there's these scientists, this
[17] group the Discovery Institute.
[18] Q: And I think you just said a minute ago they are a group
[19] of scientists that are involved in the issue of
[20] Intelligent Design?
[21] A: I believe so, yes.
[22] Q: Do you have an understanding of whether they are the
[23] leading group of scientists on this subject?
[24] A: If they are the leading group of scientists? I mean
[25] some of the scientists that might be in the group are

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[1] probably leading scientists. I don't know if the whole
[2] group is or not.
[3] Q: Are you familiar with any other organizations that are
[4] actively researching or promoting Intelligent Design?
[5] A: Groups?
[6] Q: Yes. Organizations, think tanks, anything like that.
[7] A: Not by name.
[8] Q: We have now talked about these two DVD's. Can you
[9] recall any other DVD's or videos that you have watched
[10] on the subjects of Evolution or Intelligent Design?
[11] With the same instruction, if you can't remember
[12] names —
[13] A: I can't remember.
[14] Q: What about TV programs, can you name any TV programs?
[15] A: Discovery, I remember them having a TV program. I am
[16] pretty sure it was on the Discovery Channel. It was a
[17] whole program on basically the Piltdown man.
[18] Q: Anything else you can think of by way of TV shows?
[19] A: There again, I am sure other shows on that I mean
[20] sometimes, the National Geographic will have something.
[21] I have seen other — because I am not sure exactly the
[22] channel per se. I am pretty sure this was on the
[23] Discovery Channel.
[24] And some of the National Geographics puts the
[25] specials on. They had another one I believe on the

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[1] Discovery Channel on Evolution and the animals and how
[2] they evolved from bear animals to whales and things like
[3] that. Just a couple of things that stick in my head at
[4] the time right now.
[5] Q: Putting aside television shows and just focusing on
[6] DVD's, videotapes, written materials, have you ever
[7] given things that you have read or reviewed to another
[8] Board member for their consideration on these topics?
[9] A: I think this video, I think I've offered — I'm not
[10] sure. I have given the video to people that were
[11] interested. In the same way they are curious in this
[12] subject and wanted to see it.
[13] I'm trying to think if the Board members — they
[14] probably watched this video, but I am not sure.
[15] Q: You don't know one way or the other?
[16] A: I'm not positive.
[17] Q: When you have talked about giving this video out, did
[18] that occur before or after the resolution was passed?
[19] A: I believe that most of that — well, I believe that has
[20] been since.
[21] Q: Has any Board member given you written materials or
[22] e-mails attaching written material or videotapes or
[23] DVD's for your consideration on the subject? Let's
[24] qualify that before you voted on the October 18th
[25] resolution.

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A: Yes.

Q: Stephen Meyer, do you remember him?

A: Stephen Meyer, yes.

Q: Scott Minnich?

A: Yes.

Q: Paul Nelson?

A: Name sounds familiar.

Q: Do you have an understanding of whether some or all of those individuals have an association with the Discovery Institute?

A: I think some of them do. I don't know whether all of them do.

Q: Are you familiar with the Discovery Institute?

A: Yes.

Q: How are you familiar with them?

A: Just knowing them, that they are a large group of scientists that I believe have looked at the scientific evidence out there and have some other theories of their own, what they have come up with by looking at the same evidence that the Darwin scientists have looked at.

Q: Do you associate them with the idea of Intelligent Design?

A: I believe that probably most of them adhere to that.

Q: Do you have a recollection of when you first became aware of the Discovery Institute?

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A: I believe that would have been last year some time.

Q: Did you become aware of them in connection with the Board's consideration of the biology curriculum?

A: Yes, it was before the curriculum change.

Q: What I am sort of getting at is you have described a lot of reading and investigation into the subjects of Evolution and Intelligent Design, and I am trying to get a sense of whether you were aware of the Discovery Institute from your sort of personal reading before this issue sort of came up before the Board.

A: I think somewhere along the line, it came up in discussions about this group.

Q: Discussions by the Board?

A: I don't know if it was at a Board meeting or anything like that. But there were discussions that were somewhere last year that there's these scientists, this group the Discovery Institute.

Q: And I think you just said a minute ago they are a group of scientists that are involved in the issue of Intelligent Design?

A: I believe so, yes.

Q: Do you have an understanding of whether they are the leading group of scientists on this subject?

A: If they are the leading group of scientists? I mean some of the scientists that might be in the group are

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(1) probably leading scientists. I don't know if the whole group is or not.

Q: Are you familiar with any other organizations that are actively researching or promoting Intelligent Design?

A: Groups?

Q: Yes. Organizations, think tanks, anything like that.

A: Not by name.

Q: We have now talked about these two DVD's. Can you recall any other DVD's or videos that you have watched on the subjects of Evolution or Intelligent Design?

With the same instruction, if you can't remember

names --

A: I can't remember.

Q: What about TV programs, can you name any TV programs?

A: Discovery, I remember them having a TV program. I am

pretty sure it was on the Discovery Channel. It was a

whole program on basically the Piltdown man.

Q: Anything else you can think of by way of TV shows?

A: There again, I am sure other shows on that. I mean

sometimes, the National Geographic will have something.

I have seen other -- because I am not sure exactly the

channel per se. I am pretty sure this was on the

Discovery Channel.

And some of the National Geographics puts the

specials on. They had another one I believe on the

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Discovery Channel on Evolution and the animals and how

they evolved from bear animals to whales and things like

that. Just a couple of things that stick in my head at

the time right now.

Q: Putting aside television shows and just focusing on

DVD's, videotapes, written materials, have you ever

seen anything that you have read or reviewed to another

person for their consideration on these subjects?

A: Yes, this video, I think I've offered -- I'm not

sure I have given the video to people that were

interested in the same way they are curious in this

subject and wanted to see it.

Trying to think if the Board members -- they

probably watched this video, but I am not sure.

Q: I don't know one way or the other?

A: I'm not positive.

Q: I have talked about giving this video out, did

this occur before or after the resolution was passed?

A: I believe that most of that -- well, I believe that has

been since.

Q: Board member given you written materials or

e-mails attaching written material or videotapes or

DVD's for your consideration on the subject? Let's

start with before you voted on the October 18th

resolution.